GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Commercial Taxes Department – O.A.No.1236/2014 filed by Sri.B.Appa Rao, Sweeper cum night watchman Chinawaltair Circle, Visakhapatnam- Sanction of minimum wages which is equal to the minimum pay and allowance(i.e., Basic pay + DA only) of Class IV regular employees scale- Orders- Issued.

REVENUE (CT.I) DEPARTMENT

G.O.MS.No. 602 Dated: 12-12-2017

Read the following:-

1. Orders of APAT in O.A.No.1236 of 2014 dt. 15-2-2016 filed by Sri B.Appara Rao.
2. From the Commissioner of Commercial Taxes, A.P., Hyderabad, Ref.No.C1/586/2014, Dated:30-05-2016.
3. Govt.Memo.No.34024/15/2016-CT.I-1, Dated: 02/08/2016.
4. Orders of APHC in W.P.No.20271 of 2017 dt. 10-7-2017.
5. From the Chief Commissioner of State Tax, A.P., Vijayawada, Ref.No.C1/E3/496/2013, dt. 09.08.2017.
6. Orders of Hon'ble Tribunal in C.A.No.169/2017 in O.A.No.1236/2014 dt. 3-11-2017.
7. Govt. Memo.No.34024/15/2016, Revenue (CT.I) Dept. dated: 12-12-2017.

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O R D E R:

The Hon'ble APAT in O.A.No.1236/2014 filed by Sri B. Appa Rao, Sweeper cum night watchman Chinawaltair Circle, Visakhapatnam, has ordered on 15-2-2016:

> " Under the above facts and circumstances obtaining in the case, the original application is disposed of with a direction to the respondents to consider the case of the applicant for regularisation of his services in accordance with rules and in case, he is not eligible as per existing rules, then the respondents are directed to pay minimum time scale of pay attached to the regular post born on Last Grade Service pending regularization, from the date of filing of the O.A. within a period of 3 months from the date of receipt of copy of this order".

2. Against the orders of the Hon'ble APAT in O.A.No.1236/2014, the Chief Commissioner of State Tax, A.P., Vijayawada has filed WP.No.20271/2017, but the same was dismissed.

3. The Chief Commissioner of State Tax, A.P., Vijayawada in the reference 2nd read above, has submitted proposals for sanction of budget to facilitate implementation of the APAT orders dt.15.02.2016.

4. Government after carefully considering the matter has decided to file SLP against the orders of APAT/ High Court while implementing the orders of Hon'ble Tribunal dt.15-02-2016. Accordingly, in the Memo. 7th read above the Chief Commissioner of State Tax, A.P., Vijayawada was directed to file SLP against the orders of APAT/High Court.

(P.T.O.)

5. In view of the above and in compliance of the orders of the Hon'ble Tribunal and Hon'ble High Court, Government hereby accord sanction of minimum wages which is equal to the minimum pay and allowance (ie. Basic pay + DA only) of Class IV regular employees scale to Sri B.Appa Rao, Sweeper cum night watchman O/o CTO, Chinawaltair Circle, Visakhapatnam subject to the result of SLP to be filed by the Department against the orders of APAT/High Court and also subject to the following conditions:

i. The individual should have been working continuously without break.
ii. No question of other allowances/increments etc. shall be paid.
iii. Allowing the above minimum wages of time scale shall not confer any right on the individual to claim for regularization of services.

6. As per orders issued in G.O.Ms.No.212, Finance and Planning (FW-PC-III) Department, dated.22.04.1994, Government hereby reject regularization of services of Sri B.Appa Rao.

7. The Chief Commissioner of State Tax, A.P., Vijayawada shall take further action in the matter.

8. This order issues with the concurrence of the Finance Department vide their U.O.No.32026/123 /2017(HR.III/ Finance,284579, dated: 12-12-2017.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Chief Commissioner of State Tax, A.P., Vijayawada.
Copy to:
The Deputy Commissioner(CT) Visakhapatnam Division, Visakhapatnam.
The CTO, Chinawaltair Circle, Visakhapatnam Division.
The Accountant General, A.P., Hyderabad.
The District Treasury Officer, Visakhapatnam.
Sf/Sc.

//Forwarded:: By Order//

SECTION OFFICER.